

IFW
RECEIVED

OCT 09 2008

RECEIVED OFFICE OF PETITIONS
CENTRAL FAX CENTER

OCT 06 2008

THOMAS J. PERKOWSKI, ESQ., P.C.
Intellectual Property Advocacy
Soundview Plaza
1266 East Main Street
Stamford, Connecticut 06902

Thomas J. Perkowski
Also admitted in New York

Telephone: 203-357-1950
Facsimile: 203-357-1959
Email: info@tjpatlaw.com

FACSIMILE TRANSMITTAL LETTER

Date: October 6, 2008

Time: _____ AM/PM

TO: Office of Petitions of the USPTO

FROM: Thomas J. Perkowski, Esq., P.C.

RE: Petition to Revive for USSN# 10/007,179

Number of Pages Being Sent Including This Transmittal Letter : 5

Client-Matter Number: 126-001USANB0

Transmitted to Facsimile Number: 571-273-8300

Comments: _____

The information contained in or attached to this Facsimile Transmission is intended only for the CONFIDENTIAL use of the individual(s) named above. If you are not the named recipient or an agent of the named recipient of this Facsimile Transmission, you are hereby notified that you have received this communication in error and that review, dissemination or copying of this document is prohibited. If you have received this communication in error, please notify us immediately by telephone (203-357-1950) and return the original documents to us by mail. Thank you.

RECEIVED
CENTRAL FAX CENTER**RECEIVED**

OCT 06 2008

OCT 09 2008

IN THE UNITED STATES PATENT TRADEMARK OFFICE

OFFICE OF PETITIONS

In re original application of:

In re Application of:

Applicant : Kathleen Tyson Quah
Serial No. : 10/007,179
Filing Date : October 22, 2001
Title of Invention : METHOD FOR MITIGATING RISK ASSOCIATED WITH
THE SETTLING OF FOREIGN EXCHANGE (FX) PAYMENT-
BASED TRANSACTIONS
Examiner : Kenneth Bartley
Group Art Unit : 2164
Attorney Docket : 126-002USANA0

Honorable Commissioner of Patents
and Trademarks
Washington, DC 20231

RENEWED PETITION TO REVIVE ABANDONED APPLICATION
UNDER 37 C.F.R. 1.137(b)

Sir:

Applicant believes that the Notice of Abandonment dated April 18, 2008 was mailed in error, and respectfully request that the present Application be revived under 37 C.F.R. 1.137(b).

On March 13, 2008, Applicant submitted payment of the issue and publication fees via Deposit Account No. 16-1340. A copy of the Part B -- Issue Fee Transmittal, showing permission to charge the deposit account, as well as a copy of the date-stamped return postcard is attached as Exhibit A.

On March 18, 2008, the publication fee of \$300.00 and advance order for 10 additional copies fee of \$30.00 were charged under sequence number 7 and 8, respectively, leaving a balance of \$729.50 in the Deposit Account No. 16-1340, a sufficient amount to cover the issue fee of \$720.00 for a small entity. A copy of the Deposit Account Statement for March 2008 is attached hereto as Exhibit B.

However, the Decision on Petition mailed September 2, 2008, stated that Deposit Account 16-1340 held a balance of \$264.50 at the time the USPTO attempted to charge the issue fee of \$720.00. However, the Deposit Account Statement does not reveal this lower balance.

Attorney for Applicant spoke with Ms. Kimberly Inabinet of the Office of Petitions, and Mr. George Allen of the Office of Finance and these phone calls revealed that the cause of the drop in the balance was the wrongful charge of a 1st maintenance fee (small entity) for US Patent No. 6,776,463. Attorney for Applicant had submitted Robert M. Simon Check No. 4232

Page 1 of 3

**RECEIVED
CENTRAL FAX CENTER**

OCT 06 2008

in the amount of \$465.00 in payment of the maintenance fee, and had authorized that the surcharge of \$65.00 for a small entity be charged to the Deposit Account 16-1340. *However, the USPTO wrongfully charged the entire maintenance of \$465.00 to the deposit account, causing the balance to drop to \$264.50, and this error on the part of the USPTO was directly responsible for the lack of funds to charge the issue fee for U.S. Application No. 10/007,179.* The charge was reversed the same day and does not show up on the Deposit Account Statement available to Applicant. However, it is included in the financial records of Mr. George Allen, which are not accessible by Applicant. Applicant requests that the Office of Petitions verify this fact with Mr. George Allen of the Office of Finance.

Furthermore, a petition fee of \$770.00 has already been charged to Deposit Account No. 16-1340 on September 2, 2008 under sequence number 14. Applicant requests that this fee be refunded.

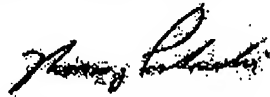
The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. 1.137(b) was unintentional.

The undersigned declares further that all statements made herein are his own knowledge, are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

In view of the above-listed submissions, Applicants respectfully request revival of the above-referenced Application and continued prosecution thereof.

Applicant believes that no fees are due at this time; however, if deemed necessary, the Commissioner is authorized to charge any fee deficiencies or overpayments to Deposit Account No. 16-1340.

Respectfully submitted,



Dated: October 6, 2008

Thomas J. Perkowski, Esq.
Reg. No. 33,134
Attorney for Applicants
Soundview Plaza
1266 East Main Street
Stamford, Connecticut 06902
203-357-1950
<http://www.tjpatlaw.com>

CERTIFICATE OF FACSIMILE SERVICE UNDER
37 CFR 1.06(d)

I hereby certify that this correspondence
is being deposited with
the Commissioner of Patents and Trademarks,
c/o the Office of Petitions of the USPTO,
Alexandria, VA
on October 6, 2008,
by facsimile transmission to
USPTO Fax Machine No. 571-273-8300



Thomas J. Perkowski, Esq.
Date: October 6, 2008

Deposit Account Statement

<https://ramps.uspto.gov/eram/Controller.jsessionid=000014fago...>

United States
Patent and
Trademark Office

RECEIVED
CENTRAL FAX CENTER

OCT 06 2008

Deposit Account Statement

Requested Statement Month: March 2008
Deposit Account Number: 161340
Name: THOMAS J PERKOWSKI ESQ., P. C.
Attention:
Street Address 1: SOUNDVIEW PLAZA
Street Address 2: 1266 EAST MAIN STREET
City: STAMFORD
State: CT
Zip: 06902
Country: UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
03/04	5	11883104	142-003USAC00	2632	\$50.00	\$1,229.50
03/04	9242	10602990		8021	\$40.00	\$1,189.50
03/17	54	10602990	100-059USA000	2814	\$65.00	\$1,124.50
03/18	7	10097470			\$50.00	\$824.50
03/18	8	10097470			\$50.00	\$794.50
03/18	37	6776463			\$50.00	\$744.50
03/19	16	11484369	108-087USANI0	1806	\$20.00	\$709.50
03/21	9050	E-REPLENISHMENT		9203	-\$3,000.00	\$3,709.50
03/21	9108	11880087		8021	\$40.00	\$3,669.50
03/21	9109	11977432		8021	\$40.00	\$3,629.50
03/21	9110	11977413		8021	\$40.00	\$3,589.50
03/21	9111	11977430		8021	\$40.00	\$3,549.50
03/21	9112	11977422		8021	\$40.00	\$3,509.50
03/21	9113	11978535		8021	\$40.00	\$3,469.50
03/21	9114	11978525		8021	\$40.00	\$3,429.50
03/21	9115	11978522		8021	\$40.00	\$3,389.50
03/21	9116	11978521		8021	\$40.00	\$3,349.50
03/21	9117	11980084		8021	\$40.00	\$3,309.50
03/21	9118	11978943		8021	\$40.00	\$3,269.50
03/21	9119	11980083		8021	\$40.00	\$3,229.50
03/21	9120	11978981		8021	\$40.00	\$3,189.50
03/21	9121	11980317		8021	\$40.00	\$3,149.50
03/21	9122	11980319		8021	\$40.00	\$3,109.50
03/21	9123	11980192		8021	\$40.00	\$3,069.50
03/21	9124	11978951		8021	\$40.00	\$3,029.50
03/21	9125	11980329		8021	\$40.00	\$2,989.50
03/21	9126	11980078		8021	\$40.00	\$2,949.50